IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael J. Josue

Serial No.: 10/765,538 Confirmation No.: 1649

Filed: January 27, 2004

For NIGHT VISION DEVICE AND

METHOD

Group Art Unit: 2879

Examiner: Dalei Dong

Commissioner for Patents PO Box 1450 ALEXANDRIA, VA 22313-1450

Sir:

Submission of Corrected Appeal Brief

In accordance with the Notification of Non-Compliant Appeal Brief, mailed September 20, 2006, Applicant submits the accompanying corrected Appeal Brief.

Respectfully submitted.

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Date: September 28, 2006